

APPENDIX

Art. 1. Sec. 8, Cl. 8, Constitution of the United States:

The Congress shall have Power ***

To Promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.

Title 35. Sec. 48, U.S.C.A., R. S. Sec. 4899

USE OR SALE BY PERSONS PURCHASING OF INVENTOR, BEFORE APPLICATION.—Every person who purchases of the inventor, or discoverer, or with his knowledge and consent constructs any newly invented or discovered machine, or other patentable article, prior to the application by the inventor or discoverer for a patent, or who sells or uses one so constructed, shall have the right to use, and vend to others to be used, the specific thing so made or purchased, without liability therefor.

Title 28. Sec. 631, U.S.C.A., R. S. Sec. 858; June 29, 1906, C. 3608, 34 Stat. 618

COMPETENCY OF WITNESSES GOVERNED BY STATE LAWS.—The competency of a witness to testify in any civil action, suit, or proceeding in the courts of the United States shall be determined by the laws of the State or Territory in which the court is held.

Title 7. Sec. 433, 1940 Code of Alabama

COMPETENCY OF PARTIES AS AFFECTED BY INTEREST.—In civil suits and proceedings, there must be no exclusion of any witness because he is a party, or interested in the issue tried, except that no person having a pecuniary interest in the result of the suit or proceeding shall be allowed to testify against the party to whom his interest is opposed, as to any transaction with, or statement by, the deceased person whose estate is interested in the result of the suit or proceeding, or when such deceased person, at the time of such transaction or statement, acted in any representative or fiduciary relation whatsoever to the party against whom such testimony is sought to be introduced, unless called to testify thereto by the party to whom such interest is opposed, or unless the testimony of such deceased person in relation to such transaction or statement is introduced in evidence by the party whose interest is opposed to that of the witness, or has been taken and is on file in the cause. No person who is an incompetent witness under this section shall make himself competent by transferring his interest to another.